



Report to Planning & Zoning Commission

Clay County, Missouri

Case Number **July 12-110F**

Case Type **Final Plat**

Project Name **Minnick Farms**

Applicants/Owners Ken and Karen Minnick
 3414 N Brighton Ave
 Kansas City, MO 64117-2735

Request **Final Plat** approval of Minnick Farms

Application Submittal 2012-05-14

Public Notice Published N/A

Neighbor Letters Sent 2012-06-19

Report Date 2012-06-22

REPORT AUTHOR(S) Debbie Viviano, Planner
 Matt Tapp, Director

Recommendation APPROVAL with conditions



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General Information

Site Location: 8825 NE 198th Street
Section 35 | Township 54 | Range 32

Site Size: 38.95 \pm Acres

Existing Landuse & Zoning: Agricultural (AG) - Lot 2, Residential Rural District (R-1)

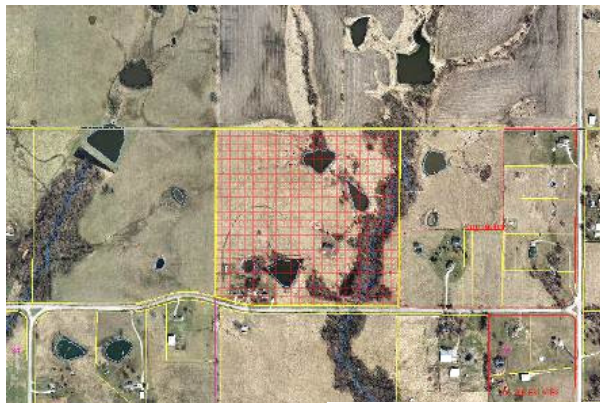
Zoning/Platting History: Rezoning for Lot 1 only, Res#2012-194, 06/21/12;
Prelim. Plat, Res# 2012-195, 06/21/12

Surrounding Landuse & Zoning:

North – Clinton County line
East – Agricultural (AG) Zoned Land, Southview (AG)
South – Agricultural (AG) Zoned Land, Doyle Acres & Estates (R-1),
Smithville Lake Reservoir
West – Agricultural (AG) Zoned Land, Smithville Lake Reservoir

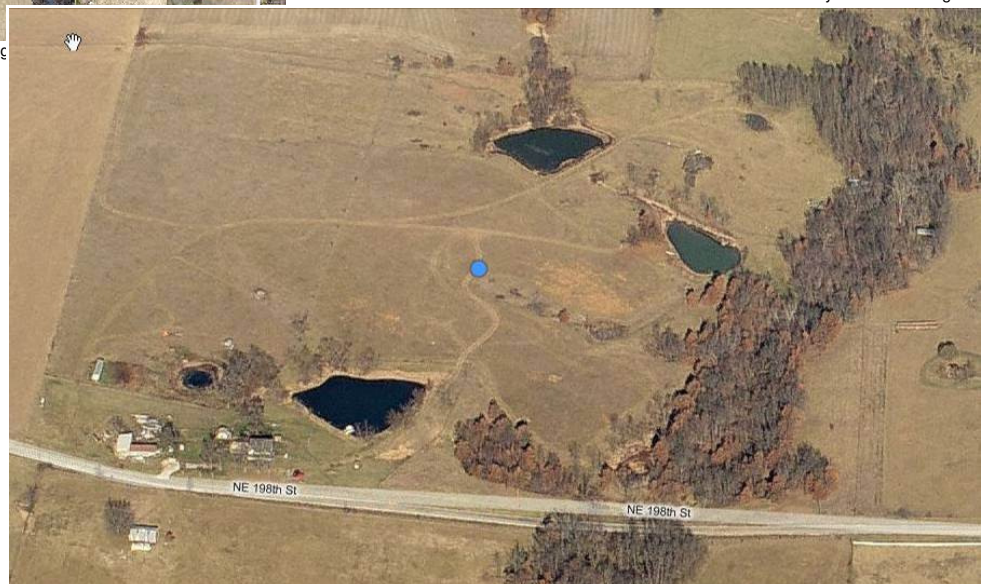
Current Conditions:

Existing Property Lines = **YELLOW** | Subject Property = **Square Red Hatch**



Courtesy Clay County Assessor GIS/Mapping

Courtesy Microsoft® Bing™





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Assessment

Ken and Karen Minnick are requesting **Final Plat** approval for Minnick Farms approximately 38.95± acres located at 8825 NE 198th Street. The property owner would like to divide the land to create one (1) new single-family dwelling lot (Lot 2).

Character of the General Neighborhood

Agricultural (AG) zoned property is in each direction of the property with a few R-1 zoned subdivisions [See Attachment B].

Code Considerations

The review procedures and submittal content for a Final Plat must be in substantial compliance with the approved preliminary plat in accordance with the requirements under **Section 151-3.6 (D)** of the Clay County 2011 Land Development Code ("LDC"). Based on all the materials and evidence presented, the subject request *appears to substantially comply with the LDC and preliminary plat.*

Outside Agency Review

The Clay County Highway Department has noted they have *"no issues with the rezoning of Lot 1. NE 198th Street is chip/seal and will remain same. Lot 2 driveway issued 4/9/12"*.

The Clay County Health Department has given final approval. The Public Water Supply District No. 4 of Clinton County presently provides water service for the property and would be able to provide one additional meter upon a routine meter pit and meter installation. The Smithville Fire District serves the property. Future construction will need to comply with their fire protection codes. Any building plans shall be submitted and approved by the fire district before a building permit will be issued, and then prior to a Certificate of Occupancy being issued a letter of compliance is required from the fire district. Platte-Clay Electric presently serves the property and has the necessary facilities to serve the request.

The Corps of Engineers as of the writing of this report has not reviewed the plat.

The five (5) existing pond structures were inspected by the Clay County Soil and Water Conservation District and found to be well maintained with three (3) being in good condition and one (2) being very good.

Findings

The two (2) existing barns located along the frontage of Lot 1 did not meet the minimum front setback nor the location forward of a principle structure (i.e. house) for a Residential Rural (R-1) district. The Board of Zoning Adjustment ("BZA") granted the necessary two (2) variances for the existing accessory barns at their meeting on March 27, 2012:

1. 40 feet from the front property line setback
2. Location forward of the principle structure

Road Impact Fees (*RIF*) are not required for proposed Lot 1 as it occupies the existing single family residence. However, RIF will be required for the additional lot generated and must be paid prior to the recording of the final plat. The estimated amount of RIF is \$2,062.50 and is subject to change at the time of payment based on the market price of material.

The submitted copies of the final plat reduced the lot size of Lot 1 down to 8.95 acres, but the approved preliminary plat had Lot 1 set at 10 acres. Since Lot 1 was also rezoned to R-1 which has a required minimum lot size of 10 acres, the lot size for Lot 1 must revert back to the original dimensions of the preliminary plat.



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Recommendations

Staff recommends the **Final Plat** of **Minnick Farms** be approved, with the following conditions as shown in Exhibit A:

Exhibit A

1. Road Impact Fee (*RIF*) agreement recorded and fees paid for additional lot prior to the recording of the final plat.
2. Building plans shall be submitted and approved by the fire district before a building permit will be issued, and then prior to a Certificate of Occupancy being issued a letter of compliance is required from the fire district.
3. The following changes to the recording copies of the Final Plat:
 - a. Change the dimensions of Lot 1 to 10 acres after right-of-way dedication and in conformance with the approved Preliminary Plat.



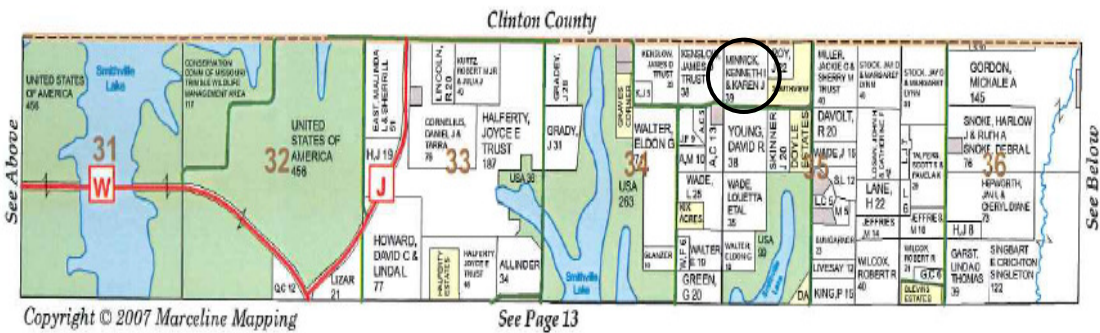
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Attachments

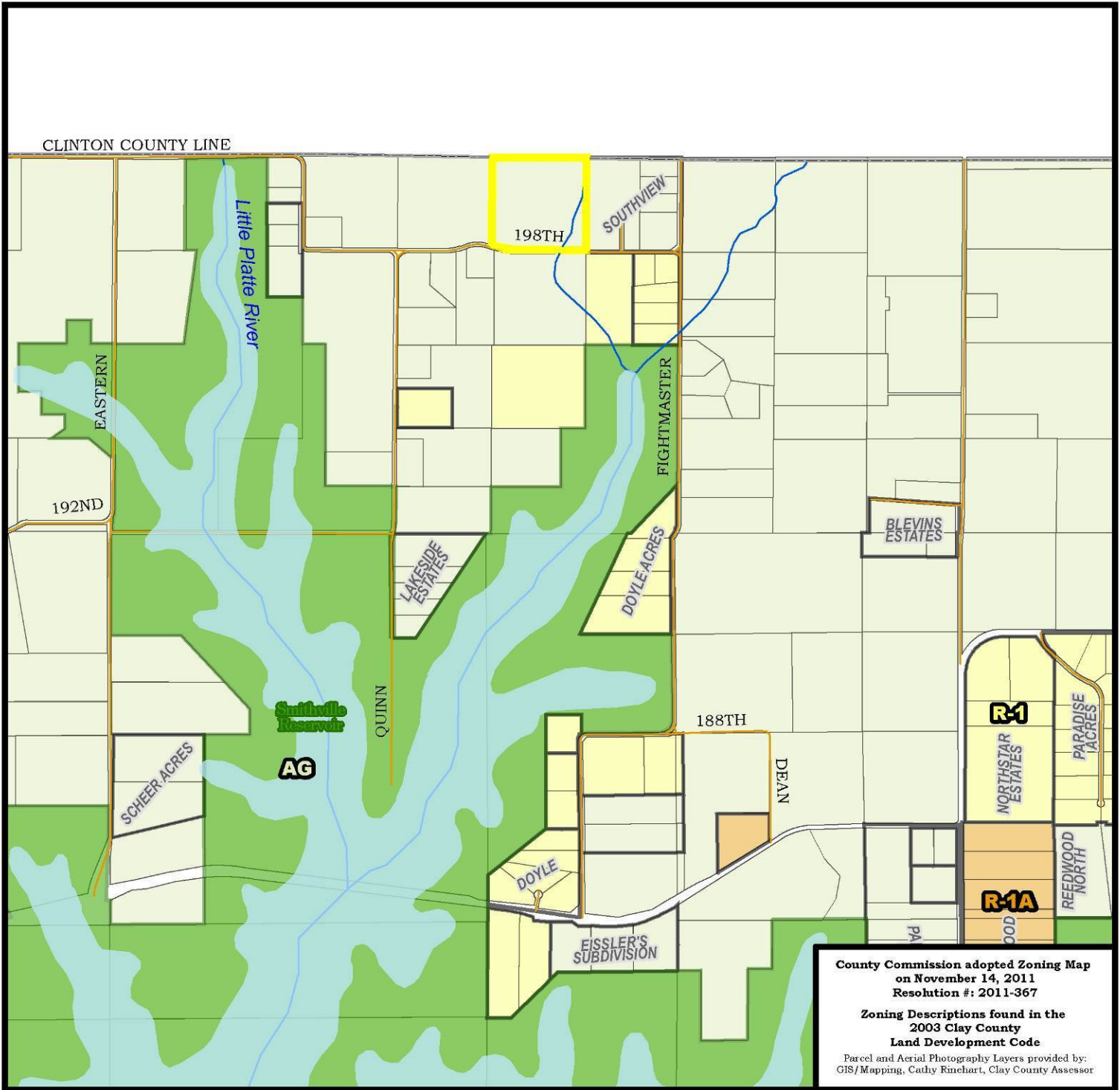
July 12-110F – Minnick Farms Attachment A – Vicinity Map

TOWNSHIP 54N • RANGE 32W



July 12-110F – Minnick Farms

Attachment B - Existing Conditions Map



County Commission adopted Zoning Map
on November 14, 2011
Resolution #: 2011-367

Zoning Descriptions found in the
2003 Clay County
Land Development Code

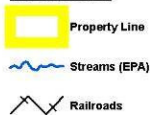
Parcel and Aerial Photography Layers provided by:
GIS/Mapping, Cathy Rinehart, Clay County Assessor

Planning & Zoning Department



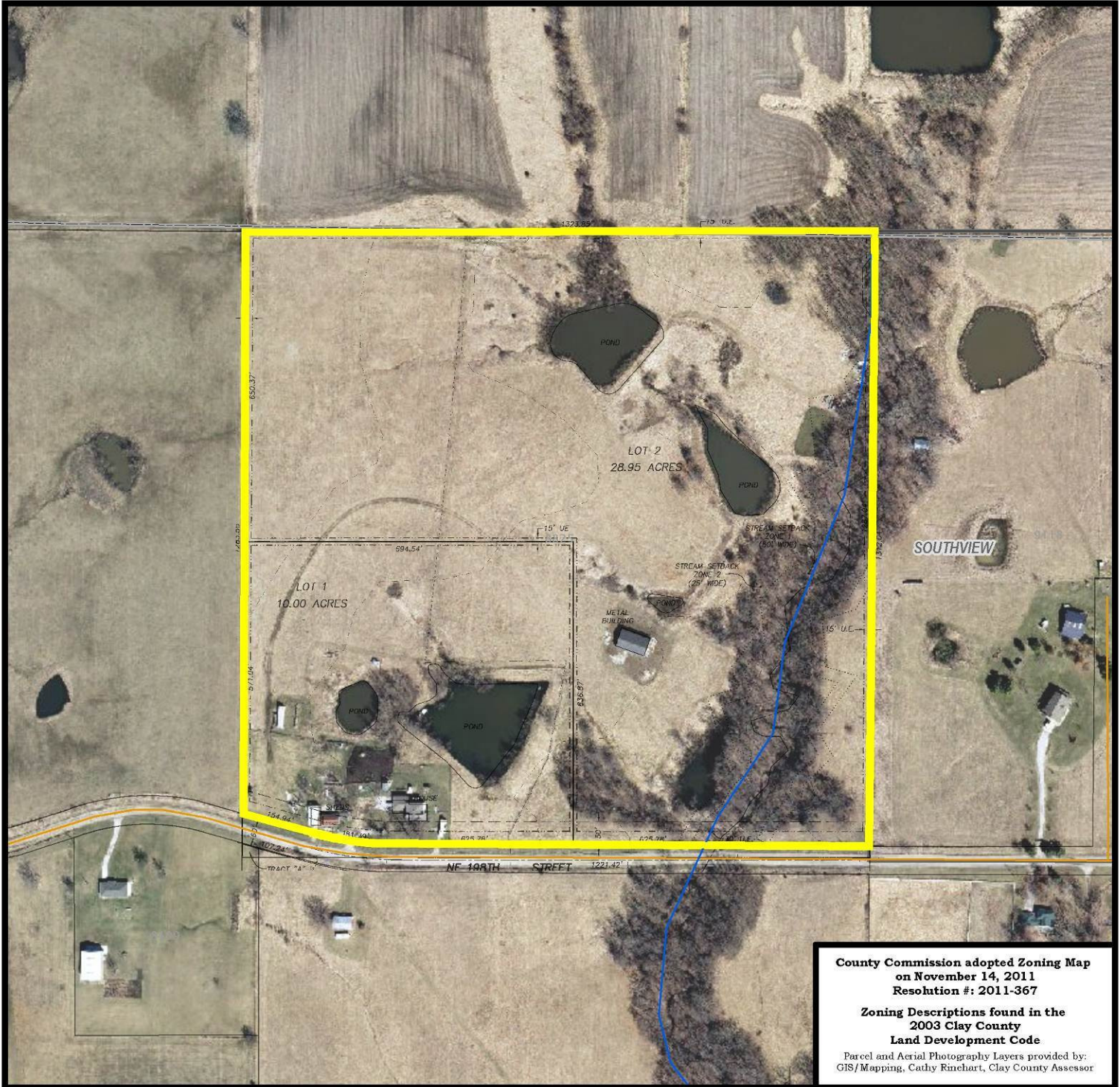
1 inch = 2,000 feet
1 inch = 0.38 miles

LEGEND



July 12-110F – Minnick Farms

Attachment C - Site Plan Map



County Commission adopted Zoning Map
on November 14, 2011
Resolution #: 2011-367

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2003 Clay County
Land Development Code

Parcel and Aerial Photography Layers provided by:
GIS/Mapping, Cathy Rinehart, Clay County Assessor



Planning & Zoning Department



1 inch = 300 feet
1 inch = 0.06 miles

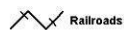
LEGEND



Property Line



Streams (EPA)



Railroads

Roads



Interstates



State Highways



Local Roads



Highway Ramps

Overlay Districts



CD (Conservation District)



PUD (Planned Unit Development)



Subdivisions



County Boundaries



2011 City Limits



Parks